

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SUNCO GROUP, INC.,

Plaintiff,

-against-

EARTH BIOFUELS, INC.,

Defendant.
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**STIPULATION
ADJOURNING TIME TO
ANSWER AMENDED
COMPLAINT**

07 CV 4776 (WHP)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for Plaintiff and Defendant, that Defendant Earth Biofuels, Inc.'s time to answer or otherwise move with respect to the Amended Complaint is hereby extended through and including March 7, 2008.

Dated: February 25, 2008

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